IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

Civil Application No.2785 of 2004
In
WRIT PETITION NO.9208 OF 2003

The Manganga Sahakari Sakhar
Kharkhana Ltd. .. Applicant

Vs.

The Sangli District Central
Co-operative Bank Ltd. & Ors. .. Respondents

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Shri Umesh mankapure for the Applicant.

Shri R.V.More for the Respondent No.1.

Shri R.S.Apte for Respondent No.2.

Shri M.S.Karnik for Respondent Nos.4 and 5.

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CORAM : R.M.S.KHANDEPARKAR, J

DATED : 5th NOVEMBER, 2004.

P.C.

1. Heard. Considering the facts disclosed in the matter and bearing in mind that the sugar is a perishable product, the application is allowed in terms of prayer clause (a), subject to the applicant depositing the entire sale price of 5000 sugar bags in the court within three days from receipt of money on disposal of those sugar bags and subject to obtaining

necessary release order from the office of the Controller of Sugar in accordance with the statutory provisions in that regard. The application is accordingly disposed of.

2. S/Shri More, the learned advocate for Respondent No.1, Apte, the learned advocate for Respondent Nos.2, and Karnik, the learned advocate for respondent Nos.4 and 5 waive service.

3. The learned advocate for the petitioner has apprehension about the non availability of the Court staff to enable the parties to deposit the amount so directed within three days on account of Diwali Vacation. In case of any difficulty faced by the petitioner, the petitioner is at liberty to approach the vacation court for necessary orders.